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10/680,658	10/06/2003	Michael S. Boulineau	10-9429	5796

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INSKEEP INTELLECTUAL PROPERTY GROUP, INC
1225 W. 190TH STREET
SUITE 205
GARDENA, CA 90248

EXAMINER	
STULTZ, JESSICA T	

ART UNIT	PAPER NUMBER
2873	

DATE MAILED: 06/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/680,658	BOULINEAU ET AL.	
	Examiner	Art Unit	
	Jessica T. Stultz	2873	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 April 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-34 and 37-45* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-34 and 37-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *06 October 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Drawings

Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The remarks dated April 5, 2005 note that a corrected drawing sheet was filed, however, no drawings were received.

Specification

The amendment to the specification corrects the previous objection, however, the amended paragraph should replace paragraph 14, rather than paragraph 13.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-7, 9, 11, and 13-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Farwig (Figure 4).

Regarding claim 1, Farwig (Figure 4) discloses an optical element (Column 8, lines 16-28, wherein the optical element is "1", Figure 4) comprising: a first layer having an outer side and an inner side (Column 8, lines 16-28, wherein the first layer is single lens body "10" which has an outer side facing polarizing coating "9" and an inner side facing anti-reflectant coating "7", Figure 4), said first layer having a first size (Column 8, lines 16-28, wherein the first layer is single lens body "10", Figure 4); a second, functional layer having a second size (Column 8, lines 16-28, wherein the second, functional layer is anti-reflectant coating "7", Figure 4); the second, functional layer disposed adjacent said inner side of the first layer (Shown in Figure 4, wherein the second layer "7" is adjacent to the inner side of the first layer "10"); and wherein the second size is smaller than the first size (Shown in Figure 4, wherein the size of the second layer "7" is smaller than the size of the first layer "10").

Regarding claim 2, Farwig (Figure 4) further discloses that the second size has a diameter that is smaller than the diameter of the first size (Shown in Figure 4, wherein the diameter of the second layer "7" is smaller than the diameter of the first layer "10").

Regarding claim 3, Farwig (Figure 4) discloses an optical element and method of making an optical element as shown above, but does not specifically disclose that the second size diameter is less than the first size diameter within a range of approximately 0.5 mm to 5 mm. However, it is inherent that the second layer to have a diameter less than the first size diameter within a range of approximately 0.5 mm to 5 mm due to the similarity in structure between the prior art and the claimed invention (Figure 5), wherein the difference in the diameters of the layers is very small, based on what is disclosed as the thickness of one of the layers (Column 5, lines 43-62, wherein the rear layer "4" is disclosed as having a thickness of 1 mm, so the

diameter difference shown in Figure 4 is apparently within the claimed range), and based upon the large range that is claimed.

Regarding claims 5-6, Farwig (Figure 4) further discloses that the first layer is a functional layer, specifically a color management layer (Column 8, lines 16-28, wherein the first layer "10" is a trichroic contrast enhancer, Figure 4).

Regarding claim 7, Farwig (Figure 4) further discloses that the first layer is a coloring layer (Column 8, lines 16-28, wherein the first layer "10" is a trichroic contrast enhancer, Figure 4).

Regarding claim 9, Farwig (Figure 4) further discloses a third layer disposed adjacent the second, functional layer, the third layer having a third size (Column 8, lines 16-28, wherein the third layer is overcoating "8", Figure 4).

Regarding claim 11, Farwig (Figure 4) further discloses that the third size has a diameter that is substantially equal to a diameter of the second size (Shown in Figure 4, wherein the third layer "8" has a diameter that is the same size diameter as the second layer "7").

Regarding claims 13-14, Farwig (Figure 4) further discloses that the first layer is a functional layer, specifically a color management layer (Column 8, lines 16-28, wherein the first layer "10" is a trichroic contrast enhancer, Figure 4).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 4, 10, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farwig (Figure 4), as applied to claims 1 and 9 above, respectively, in view of Farwig (Figure 2).

Regarding claims 4, 10, and 12, Farwig (Figure 4) discloses an optical element as shown above, but does not specifically disclose that the second functional layer is a polarizing layer or that the third size diameter is the same as the first size diameter. However, Farwig (Figure 2) further teaches of a double lens element, having a first layer, second layer, wherein the second layer is a polarizing layer (Column 6, lines 42-56, wherein the first layer is "4", the second layer is "3" and the third layer is "5", Figure 2), and third layer, wherein the third layer has the same diameter as the first layer for the purpose of providing durability for the front lens element (Column 6, lines 42-56, wherein the first layer is "4", the second layer is "3" and the third layer is "5", Figure 2). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made for the optical element of Farwig (Figure 4) to further include the third size diameter being the same as the first size diameter since Farwig (Figure 2) further teaches of a double lens element, having a first layer, second layer, wherein the second layer is a polarizing layer, and third layer, wherein the third layer has the same diameter as the first layer for the purpose of providing durability for the front lens element.

Claims 8 and 15-21, 32-34, 37-39, and 41-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farwig (Figure 4), as applied to claims 1, 9, and 2 above, respectively, in view of Robrahn et al.

Regarding claim 8 and 15, Farwig (Figure 4) discloses an optical element as shown above, but does not specifically disclose that the first and third layers are resinous layers. Robrahn et al teaches of plastic lens wherein the lens material is made of resin for the purpose of

providing a high contrast resolution lens (Column 5, line 22-Column 6, line 42, wherein the lens material is "24", Figure 1). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made for the first and third layers to be resinous layers since Robrahn et al teaches of plastic lens wherein the lens material is made of resin for the purpose of providing a high contrast resolution lens.

Regarding claims 16-21, Farwig (Figure 4) discloses an optical element as shown above, but does not specifically disclose an injection molded substance, specifically a polycarbonate, being injected adjacent the lens, wherein the lens and molded material are comprised of the same material. Robrahn et al teaches of an optical element wherein an injection molded substance, specifically polycarbonate, is injected around the outside of the lens, wherein the lens and molded material are comprised of the same material for the purpose of providing a molded pliable frame around the lens (Column 3, lines 3-10, and Column 4, lines 45-51, wherein the frame "22" is injection molded as one piece from polycarbonate around the polycarbonate lens "24", Figure 2). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made for the optical element and method of making an optical element of Farwig (Figure 4) to further include an injection molded substance, specifically a polycarbonate, to be injected adjacent the lens, wherein the lens and molded material are comprised of the same material since Robrahn et al teaches of an optical element wherein an injection molded substance, specifically polycarbonate, is injected around the outside of the lens, wherein the lens and molded material are comprised of the same material for the purpose of providing a molded pliable frame around the lens.

Regarding claim 32, Farwig (Figure 4) discloses a functional wafer insertable into a mold for use in making a molded lens (Column 7, lines 45-55, wherein the lens is molded around a polarizing film and Column 8, lines 16-28, wherein the optical element is "1", Figure 4) comprising: a first layer having a first size (Column 8, lines 16-28, wherein the first layer is "10", Figure 4); a second layer having a second size (Column 8, lines 16-28, wherein the second, functional layer is polarizing coating "9", Figure 4); the second layer disposed adjacent to the first layer (Shown in Figure 4, wherein the second layer "9" is adjacent to the first layer "10"); and wherein the second size is smaller than the first size (Shown in Figure 4, wherein the size of the second layer "9" is smaller than the size of the first layer "10"), but does not specifically disclose that the lens is injection moldable. Robrahn et al teaches of an optical element wherein an injection molded substance, specifically polycarbonate, is injected around the outside of the lens, wherein the lens and molded material are comprised of the same material for the purpose of providing a molded pliable frame around the lens (Column 3, lines 3-10, and Column 4, lines 45-51, wherein the frame "22" is injection molded as one piece from polycarbonate around the polycarbonate lens "24", Figure 2). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made for the optical element and method of making an optical element of Farwig (Figure 4) to further include an injection molded substance, specifically a polycarbonate, being injected adjacent the lens, wherein the lens and molded material are comprised of the same material since Robrahn et al teaches of an optical element wherein an injection molded substance, specifically polycarbonate, is injected around the outside of the lens, wherein the lens and molded material are comprised of the same material for the purpose of providing a molded pliable frame around the lens.

Regarding claim 33, Farwig (Figure 4) and Robrahn et al disclose and teach of a functional wafer as shown above and Farwig (Figure 4) further discloses that the first layer is a functional layer (Column 8, lines 16-28, wherein the first layer "10" is a trichroic contrast enhancer, Figure 4).

Regarding claim 34, Farwig (Figure 4) and Robrahn et al disclose and teach of a functional wafer as shown above and Farwig (Figure 4) further discloses that the second layer is a functional layer (Column 8, lines 16-28, wherein the second, functional layer is polarizing coating "9", Figure 4).

Regarding claims 37, 44, and 45, Farwig (Figure 4) discloses a method of forming a lens having a functional layer (Column 8, lines 16-28, wherein the lens is "1", Figure 4), the method comprising: providing a first layer side (Column 8, lines 16-28, wherein the first layer is single lens body "10", Figure 4); providing a functional layer smaller in size than the first layer (Column 8, lines 16-28, wherein the second, functional layer is polarizing layer "9", Figure 4); forming a wafer by laminating the functional layer to the first layer such that a space is formed between an outer edge of the first layer and an outer edge of the functional layer (Shown in Figure 4); placing the wafer in a mold (Column 7, lines 45-55, wherein the lens is molded around a polarizing film and Column 8, lines 16-28, wherein the optical element is "1", Figure 4); but does not specifically disclose injecting molten lens material, specifically polycarbonate, into the mold to form a lens, wherein the lens material is the same material as the first layer. Robrahn et al teaches of an optical element wherein an injection molded substance, specifically polycarbonate, is injected around the outside of the lens, wherein the lens and molded material are comprised of the same material for the purpose of providing a molded pliable frame around

the lens (Column 3, lines 3-10, and Column 4, lines 45-51, wherein the frame "22" is injection molded as one piece from polycarbonate around the polycarbonate lens "24", Figure 2). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made for the optical element and method of making an optical element of Farwig (Figure 4) to further include an injection molded substance, specifically a polycarbonate, being injected adjacent the lens, wherein the lens and molded material are comprised of the same material since Robrahn et al teaches of an optical element wherein an injection molded substance, specifically polycarbonate, is injected around the outside of the lens, wherein the lens and molded material are comprised of the same material for the purpose of providing a molded pliable frame around the lens.

Regarding claim 38, Farwig (Figure 4) and Robrahn et al disclose and teach of a method of forming a lens as shown above and Farwig (Figure 4) further discloses forming a wafer by laminating the functional layer to the first layer such that a ledge is formed between an outer edge of the first layer and an outer edge of the functional layer due to a difference in size between the first layer and the functional layer (Shown in Figure 4, wherein a ledge is formed at the ends of the functional layer "9"), and laminating a third layer to a side of the functional layer opposite the first layer (Shown in Figure 4, wherein the third layer is overcoating "6", Figure 4)

Regarding claim 39, Farwig (Figure 4) and Robrahn et al disclose and teach of a method of forming a lens as shown above and Farwig (Figure 4) further discloses laminating a third layer to a side of the functional layer, wherein laminating includes laminating a third layer sized the same as the functional layer to a side of the functional layer opposite the first layer (Column 8,

lines 16-28, wherein the third layer is overcoating "6", which has the same size as functional layer "9", Figure 4).

Regarding claims 41, Farwig (Figure 4) and Robrahn et al disclose and teach of a method of forming a lens as shown above and Farwig (Figure 4) further discloses that the functional layer is a polarizing layer (Column 8, lines 16-28, wherein the functional layer "9" is a polarizing layer, Figure 4).

Regarding claims 42, Farwig (Figure 4) and Robrahn et al disclose and teach of a method of forming a lens as shown above and Farwig (Figure 4) further discloses that the first layer is a functional layer, specifically a color management layer (Column 8, lines 16-28, wherein the first layer "10" is a trichroic contrast enhancer, Figure 4).

Regarding claim 43, Farwig (Figure 4) and Robrahn et al disclose and teach of a method of forming a lens as shown above, but do not specifically disclose that the second size diameter is less than the first size diameter within a range of approximately 0.5 mm to 5 mm. However, it is inherent that the second layer to have a diameter less than the first size diameter within a range of approximately 0.5 mm to 5 mm due to the similarity in structure between the prior art and the claimed invention (Figure 5), wherein the difference in the diameters of the layers is very small, based on what is disclosed as the thickness of one of the layers (Column 5, lines 43-62, wherein the rear layer "4" is disclosed as having a thickness of 1 mm, so the diameter difference shown in Figure 4 is apparently within the claimed range), and based upon the large range that is claimed.

Claim 40 is are rejected under 35 U.S.C. 103(a) as being unpatentable over Farwig (Figure 4), as applied to claim 38 above, in view of Robrahn et al and further in view of Farwig (Figure 2).

Regarding claim 40, Farwig (Figure 4) and Robrahn et al disclose and teach of a method of forming a lens shown above, but do not specifically disclose that third layer is the same size as the first layer. However, Farwig (Figure 2) further teaches of a double lens element, having a first layer, second layer, and third layer, wherein the third layer is the same lengthwise size as the first layer for the purpose of providing durability for the front lens element (Column 6, lines 42-56, wherein the first layer is "4", the second layer is "3" and the third layer is "5", Figure 2). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made for the optical element of Farwig (Figure 4) and Robrahn et al to further include third layer is the same size as the first layer since Farwig (Figure 2) further teaches of a double lens element, having a first layer, second layer, and third layer, wherein the third layer is the same lengthwise size as the first layer for the purpose of providing durability for the front lens element.

Claims 22, 24, 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farwig (Figure 3) in view of Farwig (Figure 4).

Regarding claim 22, Farwig (Figure 3) discloses a method of making an optical element (Column 8, lines 1-15, wherein the optical element is "1", Figure 3) comprising: providing a first layer having a lamination side and a non-lamination side (Column 8, lines 1-15, wherein the first layer is "2", which has a lamination side, i.e. the side adjacent layer "3" and a non-lamination side, i.e. the outer side facing the air, Figure 3); providing a second layer substance, the second layer substance being functional (Column 8, lines 1-15, wherein the second, functional layer is polarizing coating "3", Figure 3); configuring said second layer functional substance against the lamination side of the first layer (Shown in Figure 3, wherein the second layer "3" is adjacent to

the lamination side of layer "2"); but does not specifically disclose that a size of the second layer functional substance is less than a size of the first layer. However, Farwig (Figure 4) further teaches of a lens element, having a first layer, second layer, wherein the second layer is a functional layer (Shown in Figure 4, wherein the size of the second layer "7" is smaller than the size of the first layer "10" and wherein the size of polarizing layer "9" is smaller than the size of the first layer "10", Column 8, lines 16-28) for the purpose of providing a single lens element with a polarizing layer and an anti-reflecting layer (Column 7, lines 45-55 and Column 8, lines 16-28). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made for the method of Farwig (Figure 3) to further include a size of the second layer functional substance is less than a size of the first layer since Farwig (Figure 4) further teaches of a lens element, having a first layer, second layer, wherein the second layer is a functional layer for the purpose of providing a single lens element with a polarizing layer and an anti-reflecting layer.

Regarding claim 24, Farwig (Figure 3) and Farwig (Figure 4) disclose and teach of a method of making an optical element as shown above and Farwig (Figure 4) further teaches applying a third layer against the second layer substance (Column 8, lines 16-28, wherein the third layer is either layer "6" or "8", Figure 4) for the purpose of providing an additional overcoating to protect the second layer (Column 8, lines 16-28). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made for the method of Farwig (Figure 3) to include applying a third layer against the second layer substance since Farwig (Figure 4) further discloses applying a third layer against the second layer substance for the purpose of providing an additional overcoating to protect the second layer.

Regarding claim 26, Farwig (Figure 3) and Farwig (Figure 4) disclose and teach of a method of making an optical element as shown above and Farwig (Figure 3) further discloses that the step of providing a second layer functional substance includes providing a polarizing layer (Column 8, lines 1-15, wherein the second layer "3" is a polarizing coating, Figure 3).

Regarding claims 27-28, Farwig (Figure 3) and Farwig (Figure 4) disclose and teach of a method of making an optical element as shown above and Farwig (Figure 3) further discloses that the step of providing a first layer includes providing a first layer functional substance, specifically a coloring layer (Column 8, lines 1-15, wherein the first layer "2" is a trichroic contrast enhancer, Figure 3).

Regarding claim 29, Farwig (Figure 3) and Farwig (Figure 4) disclose and teach of a method of making an optical element as shown above and Farwig (Figure 3) further discloses that the step of configuring the second functional substance includes sizing a diameter of the second layer functional substance to be less than a diameter of the first layer (Shown in Figure 3, wherein the diameter of the second layer "3" is smaller than the diameter of the first layer "2").

Regarding claim 30, Farwig (Figure 3) and Farwig (Figure 4) disclose and teach of a method of making an optical element as shown above and Farwig (Figure 3) further discloses a method of making an optical element as shown above, but does not specifically disclose that the second size diameter is less than the first size diameter within a range of approximately 0.5 mm to 5 mm. However, it is inherent that the second layer to have a diameter less than the first size diameter within a range of approximately 0.5 mm to 5 mm due to the similarity in structure between the prior art and the claimed invention (Figure 5), wherein the difference in the diameters of the layers is very small, based on what is disclosed as the thickness of one of the

layers (Column 5, lines 43-62, wherein the rear layer "4" is disclosed as having a thickness of 1 mm, so the diameter difference shown in Figure 3 is apparently within the claimed range), and based upon the large range that is claimed.

Claims 23, 25, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farwig (Figure 3) in view of Farwig (Figure 4) and further in view of Robrahn et al.

Regarding claims 23, 25, and 31, Farwig (Figure 3) and Farwig (Figure 4) disclose and teach of a method of making an optical element as shown above, but do not specifically disclose an injection molded substance, specifically a polycarbonate, being injected adjacent the lens, wherein the lens and molded material are comprised of the same material. Robrahn et al teaches of an optical element wherein an injection molded substance, specifically polycarbonate, is injected around the outside of the lens, wherein the lens and molded material are comprised of the same material for the purpose of providing a molded pliable frame around the lens (Column 3, lines 3-10, and Column 4, lines 45-51, wherein the frame "22" is injection molded as one piece from polycarbonate around the polycarbonate lens "24", Figure 2). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made for the optical element and method of making an optical element of Farwig (Figure 3) and Farwig (Figure 4) to further include an injection molded substance, specifically a polycarbonate, being injected adjacent the lens, wherein the lens and molded material are comprised of the same material since Robrahn et al teaches of an optical element wherein an injection molded substance, specifically polycarbonate, is injected around the outside of the lens, wherein the lens and molded material are comprised of the same material for the purpose of providing a molded pliable frame around the lens.

Response to Arguments

Applicant's arguments with respect to claims 1-34 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jessica T Stultz whose telephone number is (571) 272-2339. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jessica Stultz
Patent Examiner
AU 2873
June 14, 2005

JORDAN SCHWARTZ
PRIMARY EXAMINER